

REFUGEE CONSORTIUM OF KENYA

The role of Non Governmental Organizations in refugee protection

By Simon Konzolo

Introduction

In recent years, the African continent has been characterized by a succession of large-scale refugee movements' internal population displacements and mass repatriation movements. Such unpredictable and forced movements cause the refugees to forgo social obligations, benefits of groups or extended family association and may even render them rejected in the country of asylum. The process of assimilation is, therefore, a difficult one, as the refugee has to accept his new labels of "stranger". "Outsider" and sometimes "rebel", labels of which most refugees are defenseless. Non Governmental Organizations (NGOs) in the region play a very crucial role of ensuring respect of rights and enjoyment of freedoms of asylum seekers and refugees.

NGOs provide an array of services for refugees and other vulnerable people including immediate relief - food, water, shelter, legal advice, education and health care. The term NGO is used to describe a bewildering array of groups and organizations - from activist groups 'reclaiming the streets' to development organizations delivering aid and providing essential public services. Other NGOs are research-driven policy organizations, looking to engage with decision-makers. Still others see themselves as watchdogs, casting a critical eye over current events.

The unique role of the Non Governmental Sector

NGOs and other civil society groups are not only stakeholders in governance, but also the driving force behind greater international cooperation through the active mobilization of public support for international agreements.

The involvement of NGOs takes a variety of forms;

- ◆ Expert advice and analysis - NGOs facilitate negotiations by giving politicians access to competing ideas from outside the normal bureaucratic channels.
- ◆ Intellectual competitions to governments - NGOs often have much better analytical and technical skills and capacity to respond more quickly than Government officials
- ◆ NGOs working in the refugee sector have always played a unique role in mobilizing public opinion and instigating political support in defense of humanitarian and human rights principles in guaranteeing refugee protection.
- ◆ Keeping hope alive - NGOs involved in advocacy help vocalize the interests of refugees who are not well represented in policymaking. Their activities also include public and private interaction on behalf of the displaced populations.
- ◆ Service provision - NGOs deliver technical expertise on particular topics as needed by Government officials as well as participate directly in operational activities. NGOs have extensive networks and influence at national level that international agencies do not.
- ◆ Monitoring and assessment - NGOs help strengthen International Agreements by monitoring negotiation efforts and Government compliance.
- ◆ NGOs play a role of offering effective protection, which starts with sharper awareness of international obligations and standards but depends upon state commitment.

- ◆ Capacity building amongst the displaced populations on various fundamental issues of benefit to them e.g. human rights issues, HIV/Aids education etc.

There is therefore need to synergize the various activities by different NGOs locally, regionally and internationally to ensure effective protection for refugees.

The importance of networking

Greater benefits are gained when people are working as a network in pursuing their objectives than when individuals carry out activities independently. There is thus need to network locally, regionally and internationally to assist the displaced populations. The need to network is mainly in recognition of the challenges experienced by various partners who are unable to wholly provide for the displaced populations. Networks would work to bring together organizations offering medical, social, legal and other forms of assistance to fill into existing gaps.

Networking is important because it:

- ◆ Reduces duplication of services
- ◆ Reinforces the efforts of partners and other players
- ◆ Promotes team spirit which is necessary for effective protection of refugees
- ◆ Makes it possible to maximize the utilizations of the available resources/is cost effective
- ◆ Makes it possible to share information with partners and the general public
- ◆ Makes it possible to reach more people thus realizing greater impact
- ◆ Builds the capacity of partners and other players involved in offering protection in various ways e.g. the law enforcement officers who encounter refugees often.
- ◆ Makes it possible to reap more benefits

- ◆ Ensures provision of quality and timely services
- ◆ Eases the organization of forums such as consultative meetings, workshops, seminars and conferences to address issues mutually affecting them
- ◆ Makes resource mobilization a possible collaborative effort

Achievements of networking across borders

There is a 'protection gap' between the dominion of International Refugee Law and its implementation under actual state practice. To be reversed; it demands new coalitions and mechanisms. In the light of the above challenge, the NGO sector plays a very central role in ensuring the protection of refugee rights.

Forming coalitions with partners (locally, regionally and internationally) around key human rights issues affecting refugees is an effective way of lobbying support. The benefits highlighted above on networking generally are also experienced with networks across borders.

The Refugee Consortium of Kenya has through its emphasis on networking with other local, regional and international organizations been able to cover many issues. These include legal reform, policy development, civic education, research and information dissemination. RCK focuses on advocacy regarding refugee issues and collaboration within and outside the sector while still realizing the importance of the services delivered by others to alleviate the plight that refugees encounter.

The networking efforts with partners have been fruitful as was the case when the government issued a registration deadline for all aliens living within Kenya last year. This meant that asylum seekers would be victimized at the end of the allowed period for registration, yet the necessary structures to enable all those unregistered or at various stages of registration to do so were not in place.

Partners from the region and internationally added their voices to RCK's call to the Government respect refugee rights in the process. The government extended the deadline to allow asylum seekers to get registered and has eventually made steps towards registering all aliens in the country in the continuing alien registration exercise.

RCK has been the regional focal point in the coalition against detention in recognition of the need to set standards regionally to guarantee respect for refugee rights.

We are witnessing around the world the reluctance by a number of states either to make asylum available or to offer it on adequate terms. More doors are closing and the standards are being wound backwards thus the need to network with partners within and without to ensure continued availability of quality asylum. Many of the refugee situations today are ones of protracted exile, with solutions elusive in the face of ongoing conflict and human rights violations in countries of origin.

Studies have shown that over 50% of the population of asylum seekers entering Kenya are women and children. Many of them arrive without their husbands or fathers. Women refugees experience the extra burden of fending for their children and themselves when their own lives are also at stake. This calls for joint initiatives by partners and networking especially where partners may not be able to provide wholly.

As an active participant at the ExCom meetings, RCK raises the regional concerns at an international forum. A report of the refugee situation in Kenya and the wider region is presented to other partners from the world over.

Identifying and eliminating the root causes of refugees offers the best solution. Involvement in peace initiatives in conflict zones in the region is vital. To achieve this, international cooperation is needed in ensuring the existence of democratic governments through the intervention of the United Nations security council, the international court of Justice and other International agencies with political clout to pressurize government to be civil and tolerant when handling its citizenry. Such International measures may not totally eliminate refugee movements but may reduce the magnitude of the crisis.